IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 9430 of 2005

1. Shripati Hari Pishte
and ohers ..Petitioners

vs.

1. Mahadev Shankar Mane
and others ..Respondents

Shri S.S.Patwardhan for petitioners
Shri S.M.Kamble for respondents.

CORAM: S.B.MHASE J.
10th February, 2006

P.C.

1. This writ petition is directed against the order passed below Exh.101 in Reg.Civil Suit No.116 of 2003 dated 1st October, 2005. During the pendency of this writ petition, it appears that the said suit has been disposed of by the Civil Judge, Jr.Dn., on merits. Shri Kamble, learned counsel for the respondents accordingly informs this Court. In view of this statement made by the learned Counsel for the respondents, Shri Patwardhan, learned counsel for the petitioners states that the writ petition may be disposed of with liberty to the petitioners to raise all contentions raised in this writ petition in appeal that may be filed either by the petitioners and/or by the respondents

depending upon the result of the suit. The submission is fair one. Writ Petition is disposed of with liberty to the petitioners to raise all such contentions as raised in this petition in respect of the order passed below Exh.101 in Reg.Civil Suit No.116 of 2003 in appropriate proceedings or appeal.

(S.B.MHASE J.)